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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MIDDLE CHILD, LLC,

Plaintiff,

v.

MIDDLE CHILD GROUP, LLC,

Defendant.

Case No. 2:24-cv-00854-JCM-NJK

**DISCOVERY PLAN AND SCHEDULING
ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(b)**

On July 8, 2024, Defendant Middle Child Group, LLC's ("Defendant") appeared in this case, triggering the discovery deadlines set forth under LR 26-1(b). Accordingly, Plaintiff, Middle Child, LLC ("Plaintiff") and Defendant (collectively, the "Parties"), by and through their respective counsel, hereby submit this Joint Discovery Plan and Scheduling Order. The Parties will require 180 days of discovery measured from the date that Defendant first appeared and filed its Motion to Dismiss Plaintiff's Complaint (July 8, 2024). However, while Defendant agrees that the standard discovery deadlines pursuant to LR 26-1(b) should apply if discovery is not stayed, Defendant has moved to stay discovery pending resolution of its Motion to Dismiss. ECF Nos. 17, 18. By

submitting this stipulated discovery plan and scheduling order as required by the local rules, Defendant does not waive any argument that discovery should be stayed.

DISCOVERY PLAN

The Parties propose the following discovery plan and scheduling order:

1. Initial Disclosures August 23, 2024
2. Amend Pleadings and Add Parties October 8, 2024
3. Expert Disclosures (Initial) November 7, 2024
4. Expert Disclosures (Rebuttal) December 9, 2024
5. Discovery Cutoff Date January 6, 2025
6. Dispositive Motions February 5, 2025
7. Pretrial Order March 7, 2025

In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until **30 days after** the decision on dispositive motions or until further order of the court.

Pretrial Disclosures: The disclosures required by Rule 26(a)(3), and any objections thereto, shall be included in the joint pretrial order.

Extensions or Modifications of the Discovery Plan and Scheduling Order: Applications to extend any date set by the discovery plan, scheduling order, or other order must comply with the Local Rules.

Protective Order: The Parties may seek to enter a stipulated protective order pursuant to Rule 26(c) prior to producing any confidential documents.

Electronic Service: The Parties agree that pursuant to Rules 5(b)(2)(E) and 6(d) of the Federal Rules of Civil Procedure any pleadings or other papers may be served by sending such documents by email.

Alternative Dispute Resolution Certification: The Parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration, and early neutral evaluation. The Parties have not reached any stipulations at this stage.

Alternative Forms of Case Disposition Certification: The Parties certify that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01). The Parties have not reached any stipulations at this stage.

Electronically Stored Information: The Parties have discussed the retention and production of electronic data. The Parties agree that service of discovery by electronic means, including sending original electronic files by email or on a cd is sufficient. The Parties reserve the right to revisit this issue if a dispute or need arises.

Electronic evidence conference certification: The parties further intend to present evidence in electronic format to jurors for the purposes of jury deliberations at trial. The parties discussed the presentation of evidence for juror deliberations but did not reach any stipulations as to the method as this early stage.

Dated: August 21, 2024

COZEN O'CONNOR

/s/ Melanie A. Miller

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IT IS SO ORDERED.

Dated: August 22, 2024


United States Magistrate Judge

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/s/ Stephen H. Bean

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